



Borough Council of King's Lynn and West Norfolk Local Plan Reconvened Examination

Additional "Matter 6" Statement – Housing

Response to the Inspectors "Additional Matters, Issues and Questions"

09 April 2024

Introduction

1. This statement is a response from the Borough Council of King's Lynn and West Norfolk Council (BCKLWN) to the following issues and questions raised by the Inspectors relating to Matter 6 of the examination into the King's Lynn and West Norfolk Local Plan relating to Monitoring and Implementation.
2. References used in this statement (e.g.[F10],[D10]) relate to documents held in the examination library as either a submission document or as part of the wider evidence base.

Borough Council of King's Lynn and West Norfolk Responses to Matter 6 Additional Questions

Issue 6: Has the Plan been positively prepared and is it justified, effective consistent with national policy in meeting the housing needs of all groups in the Borough over the plan period?

Housing Land Supply

AQ108. Where no response to the online survey has been received from the landowner/agent/developer of an allocated site which is not proposed for deletion (Sites F1.3; F1.4; F2.2; G22.1; G28.1; G35.1; G59.2; G72.1; G88.3; G94.1; G106.1; G113.2; and TSC1) how has the Council come to a view on the deliverability and/or developability of these sites?

Given the time that has passed since the production of the most recent 'Update Housing' package [F50, F50a, F50b, F50c – summer 2023], the Borough Council has prepared a new housing trajectory (please see Appendix 27). This is based upon latest monitoring data, including ordnance survey updated GIS mapping, Council Tax data, street naming and numbering, dialogue with site agents/owners/developers, and site visits. This new housing trajectory accurately provides the full completion data for 2021/22, 2022/23, and as of mid-March 2023/24 (noting this is not a complete monitoring/ financial year) as well as forecasting the anticipated for sites based on this information.

This provides an overall housing supply over the plan period as per Table 1 overleaf. This illustrates that there is a total identified housing supply of 13,233 dwellings, that the latest Local Housing Need (554 per year) over the plan period (2021-2040), applying the standard method is 10,526 dwellings, and that this provides a positive surplus of 2,707 dwellings. Therefore, the Local Housing Need can be met.

Table 1: Housing supply over the Plan Period

| Housing Supply | No. of Dwellings |
|--|-------------------------|
| Completions (2021/22) | 387 |
| Commitments (from non-allocated sites) | 2,156 |
| Local Plan Allocations | 6,217 |
| Local Plan Allocations with planning permission | 3,280 |
| Local Plan Allocations with planning permission pending consideration | 1,660 |
| Local Plan Allocations without planning permission | 1,277 |
| Windfall Allowance (298 p.a. including 25% discount x 15 years) (not included in first 4 years) | 4,473 |
| Total Supply | 13,233 |
| Housing Need (LHN 554 x 19 years) | 10,526 |
| Surplus of Housing Supply over the Housing Need | 2,707 |

In terms of the specific site allocations identified in the question please see the responses below, which are based on latest monitoring information, this provides the anticipated delivery of each (with reference to earlier AQ responses) and has informed the new housing trajectory:

F1.3 – Downham Market - Land northeast of Downham Market

The site is allocated within the current Local Plan (CS 2011 & SADMP 2016). The allocation is proposed to be continued as part of the emerging Local Plan. There are 3 elements to this Phase 1 the majority of the allocation which is currently being built out by Persimmon Homes, Phase 2 which is being progressed, and some minor development which has taken place, each is explained in turn below:

Phase 1

The majority of the site benefits from planning permission (16/00610/OM & 21/01121/RMM) for 226 new homes. National house builder Persimmon are in control of the site. Persimmon have commenced work on the whole site, with a number of plots currently under construction. Persimmon are actively marketing the new homes for sale via their website and Rightmove, with the development known as The Willows

Permission did provide a completed response form previously (included as Appendix 28, to this paper for reference). This stated that development would be delivered over a 6-year period between 2024/25 and 2029/30. The Borough Council based on current information regarding the site, including site visit (March 2024), consider that this timescale and rate of housing delivery from a national house

builder to be appropriate, and is included within the new housing trajectory as such. The highest rate of delivery is 50 homes per year, this is broadly in-line the average rate (55 home a year) as per Lichfield's Start to Finish (second edition, February 2022) for a site of this size.

Phase 2

There is a smaller portion of the site which is not part of the Permission development. This would be accessed via the Permission site. Topic Paper F47 considers that this could provide an additional 70 dwellings. As the site does not have planning permission currently it is not forecast to come forward from until 2031/32 onwards, providing time for planning permission to be achieved and work on delivery to commence.

The Borough Council have been in contact with agents for this site. Ian JM Cable (agent) confirmed that this portion of F1.3 is in several ownerships, but: *"The separate ownerships does not provide a barrier to deliverability, all owners/parties are willing"* (Appendix 29). It remains available and owners are in discussions relating to developing/preparing a planning application for the land. The separate ownerships do not provide a barrier to deliverability, all owners/parties are willing. Concluding that the site is available and deliverable within the plan period.

Telephone conversation (22 March) with agent RG+P (Michael Temple), who along with Ian JM Cable, have promoted the site throughout the previous local plan and continue to do so, confirmed that the landowner they represent remains keen to bring the land forward and anticipate this will be in the near term as they are in positive dialogue with the other land owner(s) and that as they understand it a housebuilder is pursuing an agreement, which they will likely enter into.

Minor Development

There are also permissions for smaller developments that have already completed within the allocated site (4 dwellings). These are located along Bridle Lane. 21/01863/F for 1 dwelling (completed 2022/23) and 21/01388/F for 3 dwellings (completed 2022/233).

F1.4 – Downham Market - Land southeast of Downham Market

The site is allocated within the current Local Plan (CS 2011 & SADMP 2016). The allocation is proposed to be continued as part of the emerging Local Plan. The site benefits from planning permission (16/01322/OM & 21/00152/RMM) for 300 new homes. There is a house builder in control of the site and works on site have commenced. The development is known as Broad Oaks and homes are being actively marketed for sale via Rightmove.

The Director of the development company did provide a completed form previously, (Appendix 30, of this paper for ease). They anticipated that delivery of the site would take place over a four-year period as follows: (33) 2023/24, (100) 2024/25, (100) 2025/26, and (67) 2026/27.

Whilst construction has started, new homes are still to be delivered. It is clear that a keen housebuilder is in control of the site and is actively working towards the development of the site. Given this, the Borough Council consider it appropriate to include in the new housing trajectory that the site will be built out over a slightly longer and later time period between 2024/25 and 2030/31. With the highest rate of delivery being 50 homes per year, this is broadly in line with the average rate (55) as per Lichfield's Start to Finish (second edition, February 2022) for a site of this size, and would be similar to the rate Permission consider deliverable on their site which is of a similar size and is also located at Downham Market.

F2.2 – Hunstanton- Land east of Cromer Road

The site is allocated within the current Local Plan (CS 2011 & SADMP 2016). The allocation is proposed to be continued as part of the emerging Local Plan. The site benefits from planning permission for 120 new homes (16/00082/OM & 18/00418/RMM). House builder Bennett Homes are in control of the site, known as St. Edmunds Park, and have so far delivered 108 new homes as follows: (24) 2021/22, (31) 2022/23, (53) 2023/24 (although the 2023/24 financial year has not completed). A number of the remaining plots are currently under construction and it is reasonable based upon the delivery rate of the site that the remaining 12 homes will be delivered in 2024/25. The properties are being actively market via Rightmove.

G22.1 – Castle Acre – Land west of Massingham Road

The site has now completed as per the response to AQ37.

G28.1 – Denver – Land to the south of Sluice Road

The Brough Council has been in contact with the site agent. Please see the responses to AQ85 & AQ86.

G35.1 – Feltwell – Land to the rear of Chocolate Cottage, 24 Oak Street

The Borough Council has been in contact with site agent. Please see the response to AQ46 7 AQ47.

G59.2 – Methwold – Land at Herbert Drive

Up to date monitoring information, including a site visit, shows the site development is well on its way. Please see the response to AQ61 for further details.

G72.1 – Runcton Holme – Land at School Road

Latest monitoring, including a site visit, shows that the site is mostly complete, with just one dwelling left to be completed. Please see the response to AQ95 for further details.

G88.3 – Stoke Ferry – Land at Indigo Road / Lynn Road

The Borough Council has been in contact with the site agent. Please see the response to AQ70.

G94.1 – Terrington St John – Land east of School Road

The Borough Council has been in contact with the site agent. Please see the response to AQ75.

G106.1 – Walpole Highway – Land East of Hall Road

The site is mostly complete. Please see the response to AQ100.

G113.2 – Welney - Land off Main Street

Latest monitoring data, including a site visit, shows that delivery of the site is well underway. Please see the response to AQ104.

TSC1 – Terrington St Clement - Land south of Northgate Way and west of Benn's Lane

Please see the response to AQ74.

- AQ109. Although seven dwellings have been completed on the allocated site E1.10, the Update Note on Deliverability and Developability of Housing Allocations [F50b] states that there are no current plans or proposals for the remaining area of the allocation. We acknowledge that part of this site is owned by the Council and that it is undertaking a land assembly programme as part of a wider initiative that includes the allocated sites at E1.5 and E1.8. We also note the Council's suggested change to the boundary of this allocated site to exclude Hardings Pits and some areas of greenfield land. What evidence is there to support the development of this site within the Plan period?**

The proposed modified version of Site E1.10 (North of Wisbech Road and East of Hardings Way) is a brownfield site, which sits at the gateway to King's Lynn. This location is considered, especially given the links which enable walking and cycling to the services and facilities which are available throughout the town, a sustainable one.

The Brough Council earlier this year signalled intention for the element of the site no longer proposed for allocation to become a community orchard and village green. Please see link for further details: [Community orchard and town green coming to Harding's Pits in King's Lynn | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](https://www.west-norfolk.gov.uk/Community-orchard-and-town-green-coming-to-Hardings-Pits-in-King-s-Lynn)

The Borough Council has proven track record of place making and delivering much needed market and affordable homes and associated infrastructure, in particular, at King's Lynn and Hunstanton, and where the regular housing market has had difficulties in doing so.

Site E.10 lies within the development boundary of King's Lynn. Whilst it would not necessarily need to be an allocation for the site to come forward, it would be a far more positive approach for the site to be continued to be allocated and therefore formally supported by the Borough Council for development. This would aid development potential.

The Borough Council are in the process of appointing an architect to undertake RIBA Stages 1 & 2 designs for the site. This design work will inform future viability studies and form part of the architectural commission for the designer selected to support the Borough Council on the Southgates regeneration project. The aim is to ensure that these areas are considered comprehensively. The current ambition for the site is to develop affordable, community-led housing that supports local housing needs.

Given this the Brough Consider that Site E1.10 (as proposed to be modified) should remain as an allocated site within the emerging Local Plan.

AQ110. Is the removal of the allocation E1.15 at Bankside (West Lynn) for at least 120 dwellings justified, given the development constraints associated with this site and that there are no current plans to bring this site forward, as indicated in the Update Note on Deliverability and Developability of Housing Allocations [F50b]?

It is difficult to suggest that Site E1.15 should remain an allocation within the Local Plan. There is no evidence to suggest that the current landowners are looking to develop the site or are actively marketing the site for sale which would enable new owners to develop the site. However, it is acknowledged that the site is brownfield and occupies a prominent position along the waterfront, opposite King's Lynn. It is also considered a sustainable location given the services and facilities available in West Lynn and has direct transport links to King's Lynn itself (via the passenger ferry). The former use of the site and riverside location do represent challenges for development (contamination and flood risk), although this is true of many brownfield and riverside sites. The site does lie within the development boundary and so could potentially (subject to planning permission) come forward for development.

AQ111. For unallocated sites with planning permission included within the trajectory, what assumptions have been made in respect of lead in times, start dates and build out rates? What evidence is there to support these assumptions and the Council's statement in paragraph 24 of the Updated Housing Land Supply [F50] that all of these sites are considered deliverable within the Plan period?

As stated in the National Planning Policy Framework (NPPF), unallocated sites which do not involve major development and benefit from planning permission (in this case provided in the new housing trajectory as sites of 5 – 9 dwellings, and sites 1 – 4 dwellings) should be considered deliverable (until permission expires). There is no clear evidence that the homes will not be delivered within five years. Indeed, the evidence on historic windfall completions (Appendix 31) indicates that such types of sites are deliverable and provide an average of 237 dwellings each year. To ensure a robust approach as part of the 5-year housing land supply calculation a 5% discount is applied to these sites and the contribution they make towards the identified housing supply.

For unallocated sites which do involve major development (sites of 10+ dwellings) which benefit from detailed planning permission (Full or the combination of Outline and Reserved Matters) in line with the NPPF should be considered deliverable. There is no clear evidence that homes will not be delivered. The windfall historic completions data (Appendix 31) indicates that these types of sites do contribute

positively to the housing supply and provide on average 160 new homes per year. This source of housing is also discounted by 5% as part of the 5-year housing land supply calculation.

This leaves two sites in the new housing trajectory which only have the benefit of outline planning permission for major development. The first is at Gayton for 33 dwellings (21/02066/OM), this is not included within the next 5 years to come forward. The second is at Watlington for 22 dwellings (20/01661/OM), a reserved matters application (23/01510/RMM) was validated October 2023 and is currently being considered. The proposal is supported by Watlington Parish Council and is likely to be determined before the current extension of time expires (April 2024) with a probable recommendation of approval. Based on this it is considered highly likely that the development will be delivered, so is accordingly included within the new housing trajectory.

AQ112. The Knight's Hill Village site is allocated in the current SADMP for at least 600 dwellings (Policy E4.1), however it is not included as an allocated site in the Plan the subject of this Examination. This matter was discussed at a previous Hearing session in respect of question 142 in the MIQs for the Examination Part 1, October 2022 [G3]. With regards to the Housing Trajectory Update [F50a] this site is included as an unallocated site with outline planning permission for 600 dwellings. What evidence is there to support the start date and build out rates included in the trajectory and are these appropriate? Has the application for reserved matters been approved?

SADMP Allocation E4.1 Knights Hill (allocated for 600 dwellings) has come forward as two separate sites. The smaller element has planning permission for 54 dwellings (15/01782/OM & 20/00666/RMM). The larger element, referred to as the Knights Hill Village site, now has reserved matters approved (16 January 2024) for 574 dwellings. (16/02231/OM & 22/01310/RMM). In total this is 628 new dwellings.

The site represents one that is currently allocated in the Local Plan and benefits from implementable planning permission. The Knights Hill Village site also benefits from having a national house builder (Barret David Wilson) in control of the site and they are actively seeking to deliver the site [H25 & J10a&b]. They consider that it is entirely appropriate for the site to be contained within the housing trajectory [F50a] and they support this [J10b].

The Borough Council has since been in contact with the agent (Carter Jonas) who represent the house builder (Barratt David Wilson - please see Appendix 32). Barratt David Wilson confirm that the archaeological conditions of the outline permission have been discharged. An application for a temporary construction access and haul road has been approved. They are currently preparing documents to discharge the relevant pre-commencement conditions for Phase 1 of the development and anticipate submitting information to the Borough Council in April and May 2024. They state that the delivery timetable is as follows:

- Commencement of development in October 2024.
- Completion of first dwellings during 2025/26.
- Average delivery rate of 40 dwellings per annum.
- Housing delivery over 15-year period from 2025/26 to 2039/40.

Given this it is considered appropriate, and consistent with the National Planning Policy Framework (NPPF) definition of a deliverable site, to envisage that development of the site will take place.

AQ113. Has the site in Clenchwarton with planning permission for 40 dwellings (Ref 17/01632/RMM & 13/01123/OM), 35 of which the Housing Trajectory Update [F50a] says were completed prior to the start of the Plan period, been recorded correctly? If not, when is it anticipated that the remainder of these dwellings will come forward?

Unfortunately, this was not recorded correctly in the Housing Trajectory Update [F50a]. The latest monitoring data shows that currently there are still 40 dwellings to be delivered on the site. The Borough Council has been in contact with the agent for the site (Please see Appendix 33, March 2024). The agent states that initial site works were undertaken during covid but have since stalled, however a new timetable for delivery can now be established as the site is currently in the final stages of being sold to a Housing Association who will develop the site. The estimated start is summer 2024 with completion of the site in 2026. Based on this latest information the Borough Council consider the following delivery rate appropriate: (5) 2024/25, (15) 2025/26, and (20) 2026/27.

AQ114. On what basis has a discount of 5% been applied to extant consents, allocations with planning permission, allocations without planning permission and windfall sites when calculating housing land supply?

A 5% discount has been factored into the 5-year housing land supply calculation for extant consents, allocations with planning permission, and allocations without planning permission to allow for any delays to the development of these site which are currently unforeseen. It should be noted that in the past a discount rate was not applied for site allocations as this recognised that all the allocations were expressed as 'at least' and that there was the potential for them to come forward and be delivered for higher numbers. Indeed, based on evidence, for many sites (e.g. Downham Market, Heacham) this has been the case. Now that most allocations already benefit from planning permission and are being delivered it seems appropriate to include such a discount.

By contrast, on reflection it is not considered appropriate to apply the 5% discount to the windfall allowance as this is already discounted by 25% (recognising that land is a finite resource) and it will not be included within the first three years, to avoid double counting and enable such sites to come forward, gain planning permission, and be built out.

Based on the new Housing Trajectory (Appendix 27), and the Local Housing Need (LHN) change to 554 new dwellings per year following the standard method (K1), the 5-year housing land supply position should be recalculated as per Table 2 and 3 which follow. This shows that the updated 5-year housing land supply position for the 5-year period between 2022/23 and 2026/27 is 7.5 years' worth.

Table 2: Identified Housing Supply

| Housing Supply Source | Number of Dwellings | 5% discount |
|---|---------------------|-----------------|
| Windfall Sites | | |
| 10 Plus Totals | 873 | 829.35 |
| 5 to 9 Totals | 389 | 369.55 |
| 1 to 4 Totals | 755 | 717.25 |
| Windfall Total | 2,017 | 1,916.15 |
| Local Plan Allocations | | |
| With PP | 2,008 | 1,907.6 |
| PP PCO | 50 | 47.5 |
| Without PP | 10 | 9.5 |
| Local Plan Allocations Total | 2,068 | 1,964.6 |
| Windfall Allowance (including 25% discount) (years 4 &5 only) | | |
| 10+ (120 p.a.) | 240 | |
| 1-9 (178 p.a.) | 236 | |
| Windfall Allowance Total (298 p.a.) | 476 | |
| Total 5 Year Identified Supply (IDS) (Windfall Total with 5% discount + Local Plan Allocations Total with 5% discount + Windfall allowance with 25% discount and only in years 4&5) | 4,356.75 | |

Table 3: 5 Year Housing Land Supply Calculation

| | |
|---|--------------|
| Local Housing Need (LHN) (based on standard method) | 554 |
| LHN x 5 (Years) | 2,770 |
| LHN x 5 (Years) + 5% NPPF Buffer (to ensure choice and competition in the market for land) | 2,909 |
| Identified Housing Supply (Table 2) | 4,357 |
| Identified Housing Supply / LHN x 5 + 5% NPPF Buffer | 1.5 |
| Above x 5 (Years) | 7.5 |

AQ115. Is the level of windfalls indicated (299dpa) likely to continue given the Council's proposed New Policy on Residential Development on Windfall sites within and adjacent to Rural Settlements, in particular the limits proposed to the number of dwellings on sites immediately adjacent to development boundaries of settlements within Tiers 4-6 of the hierarchy?

Yes. The Borough Council have explored and updated the calculation for windfall allowance to be included within the Local Plan and 5-year housing land supply calculation, this provides a windfall allowance of 298 dwellings per year (please see Appendix 31). This is consistent with National Planning Policy Framework and Planning Practice Guidance. It demonstrates that completions from windfall sites (split into major and minor) since 2001/02 through to the last completed financial year 2022/23 (at the time of writing). This is considered compelling evidence that supply from this source has been consistent and reliable. The time period covered by this encompasses different economic climates/cycles including recession, recovery, covid, and a very brief period in which the Borough Council had some difficulty in demonstrating a healthy 5-year housing land supply position (less than a year). As we are looking to establish a windfall allowance rate over broadly a 20-year period looking forward, looking back over a similar time frame is considered appropriate.

The evidence shows that in 22 years 8,752 dwellings have completed on windfall sites, this equates to an average of 398 dwellings being delivered each year throughout the Borough. It is no surprise that the figure could be considered relatively high given the vast area the Borough covers and large number of settlement (100+ parishes).

Then factored into the allowance calculation is a 25% reduction which recognises that land is a finite resource. This provides a figure of 298. This is not factored into the for the first few years of the plan period (as per the new housing trajectory) to avoid double counting and allow sufficient time for such development proposals to come forward, gain planning permission and be built out.

Looking forward to the proposed policies as part of the emerging Local Plan, these provide a policy framework that would enable sustainable development to come forward within development boundaries (similar to the current Local Plan) with two exceptions.

The first being that it seeks to limit development within the smallest settlements as defined by the Settlement Hierarchy (Smaller Villages & Hamlets) and through this direct development to more sustainable settlements at higher tiers within the Settlement Hierarchy. In the current Local Plan, there are no development boundaries for Smaller Villages & Hamlets and development is considered through a bespoke policy.

The second is a policy approach that would enable windfall development to come forward outside of settlement development boundaries in certain circumstances. This is a step change and recognises that such locations could potentially be sustainable. It could therefore be argued that rather than reduce the number of homes being delivered on windfall sites going forward, the policy approach could enable an increase.

However, the 25% discount factored in would be a conservative approach that would factor in anomalies (such as changes to the economic climate) and is considered a realistic future windfall delivery rate based on historic delivery rates, the geography of the Borough, expected future trends, and is consistent with national planning policy.